

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL NOLAN,)
)
Defendant/Petitioner,)
v.) CRIMINAL NO. 05-10340-NMG
) CIVIL NO. 10-11280-NMG
UNITED STATES OF AMERICA,)
)
Respondent.)

**REPORT AND RECOMMENDATION ON MOTION
TO VACATE SENTENCE PURSUANT TO 28 U.S.C. § 2255**

May 11, 2012

DEIN, U.S.M.J.

I. INTRODUCTION

On May 10, 2007, the defendant/petitioner, Paul Nolan, pled guilty to two counts of bank robbery in violation of 18 U.S.C. § 2113(a). On August 18, 2007, he was sentenced to 170 months of incarceration, a sentence which he is presently serving. His court-appointed appellate counsel filed a timely brief with the First Circuit pursuant to Anders v. California, 38 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967), certifying that, after a review of the record and researching the applicable law, he found no non-frivolous issues to be raised in the appeal. On March 16, 2009, the First Circuit entered judgment, agreeing that there were no non-frivolous issues on appeal. The First Circuit mandate issued on April 9, 2009.

*Report and Recommendation accepted and
adopted. S/NM-Botros, USDS 6/28/12*